

THE MADRAS LEGISLATIVE COUNCIL.

Monday, the 20th March 1950.

The House met in the Council Chamber, Fort St. George, at half past two of the clock, the Deputy Chairman (SRI K. VENKATASWAMI NAYUDU) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Separation of the Judiciary from the Executive.

* 17 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Chief Minister be pleased to state—

(a) the districts in which the separation of the Judiciary from the Executive has been effected;

(b) whether the method of separation adopted is uniform in all the districts;

(c) whether it is proposed to extend the separation to some other districts and if so, what the programme of separation is;

(d) whether, in the districts proposed for separation, the same system will be introduced;

(e) whether the Government are aware of certain anomalies existing in districts where the separation has taken place and whether they have been brought to the notice of the Government; and

(f) what steps the Government have taken to remove them?

THE HON. SRI K. MADHAVA MENON (on behalf of Hon. the Chief Minister):—“(a) The Scheme of Separation of the Judiciary from the Executive has been introduced in districts of North Arcot, Chingleput, Anantapur, Bellary, Chittoor and Tirunelveli.

“(b) Yes. There are, however, two systems under the Scheme—the ‘Simultaneous System’ and the ‘Alternating System’. Under the former, the same officer is district munsif and a subdivisional magistrate and this system has been adopted in areas of vast distances and thin population like the Ceded districts and in certain centres where the district munsif has very light work. Under the latter system which has been adopted for the other areas, the posts of district munsifs and subdivisional magistrates are held by different persons.

“(c) Yes. The selection of the districts to which the scheme is to be extended is under consideration of Government.

“(d) One or the other of the two systems specified under (b) above will be in force.

“(e) None has been brought to the notice of Government.

“(f) Does not arise.”

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DR. SYED TAJUDDIN :—" May I know, Sir, why the separation has not embraced the whole Province? "

THE HON. SRI K. MADHAVA MENON :—" For the obvious reason, Sir, that we have to go slow in this matter because we are doing a new thing and we are doing it without any amendment of the existing laws, the Indian Evidence Act and the Code of Criminal Procedure. If it is to be done after an amendment of these statutes, it may take years. So, we have to see its working before we introduce it in all places."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, whether from the reports so far received by the Government, they find that the system has been working well in the districts in which it was first introduced? "

THE HON. SRI K. MADHAVA MENON :—" We have not got any official report from any officer because we have not yet deputed any particular officer for reporting about it. We are expecting reports from either the Board of Revenue or from the High Court in regard to the matter but we, some of us, have been going about seeing things ourselves and hearing and the report that we have justifies the impression that its working in the district is very satisfactory."

DR. SYED TAJUDDIN :—" Has the separation of the judiciary from the executive taken place in any other State in the Union, Sir? "

THE HON. SRI K. MADHAVA MENON :—" We can pride ourselves on the fact that we have begun this good thing first as we have begun many other such things."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, whether the Government will consider the desirability of introducing both these systems in the same district wherever necessary? "

THE HON. SRI K. MADHAVA MENON :—" Certainly, Sir, As a matter of fact, we have issued orders investing munsifs with first-class powers in the Province but the High Court has suggested to us that the first-class powers with which we have invested the munsifs may be exercised for the time being within those districts where separation is working and not in any other district and the matter is under the consideration of the Government."

DR. SYED TAJUDDIN :—" When the Government is assured that the separation of the judiciary from the executive is a good thing, where is the need for waiting to see how it works? "

THE HON. SRI K. MADHAVA MENON :—" Administrative arrangements and convenience require that we cannot do it in all districts all on a sudden. For instance, we have not got a sufficient number of district munsifs to be posted as subdivisional magistrates if we have to have it in all the districts."

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SRI R. SURYANARAYANA RAO :—" May I know, Sir, whether the munsif-magistrates are under the control and supervision of the district magistrate of the district or of the district judge or of both? "

THE HON. SRI K. MADHAVA MENON :—" In respect of the magisterial side, they are under the district magistrate and for civil work, they are under the district judge and the sessions judge happens to be the appellate authority over the district magistrate."

DR. SYED TAJUDDIN :—" Will the Government have the necessary number of district munsifs required for this purpose? "

THE HON. SRI K. MADHAVA MENON :—" Anticipating this, Sir, we are recruiting 81 munsifs and the Public Services Commission has already advertized for it."

DR. V. K. JOHN :—" Are the Government aware of Article 50 of the Constitution which says that the State shall take steps to separate the judiciary from the executive in the public services of the State? "

THE HON. SRI K. MADHAVA MENON :—" We have anticipated the constitution by introducing this reform long before the Constitution was passed."

Seasonal conditions prevailing in the State.

* 18 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Land Revenue be pleased to make a statement on the seasonal conditions prevailing in the State, more especially in the southern parts of the State, the steps taken or proposed to be taken to alleviate the distress caused by the failure of the monsoon?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. Minister for Land Revenue) :—" Statement a is laid on the table of the House."

SRI R. SURYANARAYANA RAO :—" Sir, there has been failure of monsoons successively for the last three years; are the Government satisfied that the measures taken by them will meet the needs of the situation? "

THE HON. SRI K. MADHAVA MENON :—" The measures taken by us may not certainly restore rain which we have lost but the consequences of the failure, we are trying to meet by the measures that we have taken."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, what amount of relief by way of provision of work or gratuitous relief has been provided in the taluks or in the areas which have been continuously suffering for want of rains all these three years? "

THE HON. SRI K. MADHAVA MENON :—" The work done in each district has been given in the statement but for other details, I want notice."

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DR. SYED TAJUDDIN :—“ Will the Government see its way to find out the ways and means of undoing the bad effects of the failure of monsoons on the lines taken in western countries where scientific methods are being explored? ”

THE HON. SRI K. MADHAVA MENON :—“ Certainly in such a short time we cannot find out scientific methods for bringing down artificial rains. We shall watch the experiments that are being done. As far as is humanly possible in the matter of digging more wells, diverting water from rivers, tapping underground water and such like things, we are doing our best and we are also trying to give work to agricultural labourers who have been thrown out of work due to failure of rains.”

JANAB K. T. M. AHAMED IBRAHIM :—“ With regard to the relief that is being given to the weavers in Melappalayam, may I ask if relief is to be given to all the families in distress or only to particular sections through any particular agency to which they may or may not have access? ”

THE HON. SRI K. MADHAVA MENON :—“ The difficulties of the weavers are not exactly the direct consequence of the failure of monsoons.”

JANAB K. T. M. AHAMED IBRAHIM :—“ I put this supplementary question, Sir, because specific mention is made in the statement of the relief that is proposed to be given to the families in distress.”

THE HON. SRI K. MADHAVA MENON :—“ My Hon. Colleague, the Minister for Industries reminds me that it is famine relief and is given at the rate of Rs. 2-8-0 to Rs. 3 per family per week.”

JANAB K. T. M. AHAMED IBRAHIM :—“ That is mentioned in the report. But I wish to ask, whether the relief is being given to all the families or only to those who are members of co-operative societies? ”

THE HON. SRI K. MADHAVA MENON :—“ I do not exactly know to which of the families relief is distributed. The principle has been laid down that it must be Rs. 2-8-0 to Rs. 3 per family per week. That is a famine relief and you must leave it to the officer concerned to distribute it as well as he can.”

SRI M. NARAYANA MENON :—“ Is the Hon. Minister aware that there had been a drought this year in Malabar? ”

THE HON. SRI K. MADHAVA MENON :—“ There has been some little drought in Malabar for the second crop but in the case of the other districts, there is no second crop at all and there has been a complete drought.”

SRI M. NARAYANA MENON :—“ Even for the second crop, are the Government aware that certain parts of Malabar have been intensely affected and there has been no crop in some villages? ”

THE HON. SRI K. MADHAVA MENON :—“ Our reports do no warrant such a sweeping state of affairs as my hon.

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Friend has stated. There has been drought there for the second crop in some places. Regarding conditions prevailing there and on the question of remission of revenue and other reliefs, it is a different question and it is being separately examined."

DR. V. K. JOHN :—" Seeing that for three years successively there has been a failure of monsoons, have the Government investigated and found out what is the cause of the failure of monsoons? "

THE HON. SRI K. MADHAVA MENON :—" I do not think that it has been the unfortunate condition for this part of the country alone. The failure of rains is due to several reasons. Some people attribute it to the disafforestation of forests, some others say that it is due to the monsoon winds swooping away from the country and some very good people think that it is due to God's anger on us."

DR. SYED TAJUDDIN :—" Will the Government think of restoring disafforestation and take afforestation."

THE HON. SRI K. MADHAVA MENON :—" That is the policy of Government. It is to afforest the country as much as possible."

SRI MOTHEY NARAYANA RAO :—" Do the Government propose to try the experiment of reciting hymns to please the rain God? "

THE HON. SRI K. MADHAVA MENON :—" I am not sure, Sir, whether we as a Government could take it up. It will be a very good thing if some of our hon. Members do it."

JANAB K. T. M. AHAMED IBRAHIM :—" May I know, Sir, whether in view of the distress being widespread in Melappalayam, the Government will see to it that the relief is given to all the families in distress irrespective of the fact whether they are members of the co-operative societies or not? "

THE HON. SRI K. MADHAVA MENON :—" The idea is famine relief and it will be so worked that relief will be given to as many as possible as deserve it."

SRI R. SURYANARAYANA RAO :—" In view of the fact that drought seems to be a common feature in this Presidency, in order to enable this House to know and discuss what measures are being taken in each area, will the Government allot a day as early as possible, as this is a very serious matter? The reply given is lengthy and I am afraid it is scrappy and indefinite and not also up-to-date. So far as the other House is concerned, they had the Famine Demand in which they could have taken the opportunity of discussing this question but this House had no such opportunity and being a matter of life and death to the people of this Province, might I suggest that a day be allotted to this House for discussing the question? "

THE HON. SRI K. MADHAVA MENON :—" I do not think it will be possible to devote a separate day for discussion.

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But in the Supplementary Demand that is going to be placed before this House to-day on which the general discussion will take place on the 24th, the hon. Gentleman may concentrate his attention on the question of famine relief and we, on our part shall get ourselves prepared to give such answers as are necessary and on the Finance Bill which is coming before the House on another day also we can concentrate on this question. Whatever information which the Government can give has already been given on the floor of the other House. I do not mean to say that the opportunity given to the other House bars a similar one regarding this House but we have got sufficient opportunity to discuss it either in connexion with the Supplementary Demands or the Finance Bill which will be coming here."

2-45
p.m.

DR. V. K. JOHN :—" Have Government investigated that their policy of disafforestation have been responsible for the failure of the monsoon and whether they will revise their policy after investigation? "

THE HON. SRI K. MADHAVA MENON :—" I am afraid we are straying from the point. The Government's policy is not at all one of deforestation; it is one of afforestation. Unfortunately a good portion of the forests is private forest, where it has been exploited without any scientific basis; and so we have brought forward a legislation to stop that deforestation on unscientific basis."

DR. V. K. JOHN :—" Will the Government investigate what the cause is for the failure of the monsoon? "

THE HON. SRI K. MADHAVA MENON :—" Even scientists disagree as to the cause of that. Some attribute it to deforestation; while some others do not attribute it to that, as there are rains in areas where there are no forests at all. The Government have not conducted any research on this question."

DR. SYED TAJUDDIN :—" It may be that the policy of Government is one of afforestation. May I know what area every year is afforested and deforested? "

THE HON. SRI K. MADHAVA MENON :—" From the point of view of the Government there are more reserve forest areas planted every year than deforested. In Malabar district alone, over 15,000 acres of good trees like teak are under plantation. In reserve forests afforestation is going on. But undue deforestation is going on in many private forests."

DR. SYED TAJUDDIN :—" Since the rate of charge for electric energy supplied to agriculturists is very high, will the Government see that it is supplied at reduced rates so that it may be availed of by all agriculturists? "

THE HON. SRI K. MADHAVA MENON :—" I do not think this is the result of the failure of the monsoon."

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THE HON. SRI M. BHAKTAVATSALAM :—“ The tariff of rates for agricultural requirements is not at all high.”

DR. V. K. JOHN :—“ Do the Government consider that the bombing of Japan during war has something to do with the failure of the monsoon? Have the Government investigated it? ”
(Laughter.)

THE HON. SRI K. MADHAVA MENON :—“ We as a Cabinet have never sat as a research body to investigate into it.”

Dispute between the motor employees and motor bus owners in Eluru.

* 19 Q.—SRI MOTHEY NARAYANA RAO : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that a dispute between the motor employees and motor bus owners in Eluru was referred to arbitration;

(b) if so, when was an award given in the matter;

(c) whether it is a fact that the terms of the said award, if any, have not been implemented; and

(d) if so, what action has been taken by the Government for the proper implementation of the award?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. Minister for Land Revenue) :—“ (a) Disputes in six motor companies, viz., Sri Sitharamanjaneya Motor Service, Sri Venkateswara Motor Service, The Ellore Motor Transport, Ltd., Sri Krishna Balaji Motor Service, Sri Maruthi Motor Service and Sri Ramanjaneya Motor Service, West Godavari district, were referred for adjudication during 1946-47 under the Defence of India Rules.

“ (b) No award was given in the matter, Sir, as the parties filed a memorandum of compromise before the Tribunal requesting it not to proceed with the enquiry in view of a Court of enquiry which was then constituted to enquire into the general working conditions of the Motor Transport Services in the State.

“ (c) & (d) Does not arise, Sir.”

SRI P. R. K. SARMA :—“ May I inquire whether in regard to the award by the general court of inquiry into the grievances of motor transport workers, the award has been implemented by all motor transport owners? ”

THE HON. SRI K. MADHAVA MENON :—“ The High Court said that a general inquiry for the whole Province is *ultra vires* because an inquiry like that for the whole Province is wrong. Then the Government passed the Bill in 1949. Even then, there are subsequent references to the validity of it in the judgments of the High Court.”

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SRI P. R. K. SARMA :—" Sir, my information is that the life of the award given by the general court of inquiry will expire very soon, and that requests have been put forward by responsible national organizations like the Indian National Trade Union Congress to extend the life of the award, so that it may be implemented before its expiry? "

THE HON. SRI K. MADHAVA MENON :—" The award could not be enforced due to a High Court decision involving general province-wide reference. However, the life of that award was extended by one year from 14th June 1949 by the Industrial Disputes Amending Act, 1949; so it has been extended up to 14th June 1950. Even now certain transport companies in the West Coast have again challenged the validity of this award and the matter is pending before the High Court. If before the High Court decides it, the time expires we will have to give a further extension of time."

SRI MOTHEY NARAYANA RAO :—" May I know whether the dispute in the six motor companies is finally settled? "

THE HON. SRI K. MADHAVA MENON :—" No, the matter pending before the High Court will apply also to these companies, because the principle involved is the same."

SRI MOTHEY NARAYANA RAO :—" May I know how long will it take for the Government to tackle this problem; and how are they tackling the problem? "

THE HON. SRI K. MADHAVA MENON :—" We got powers after the passing of the Act in 1949, and the House has given extension of time for the implementation of the award for one year from 14th June 1949; and we are taking steps to implement the award."

Poet-Laureate in Hindustani.

* 20 Q.—JANAB ABDUL LATIF FAROOKHI: Will the Hon. the Minister for Education be pleased to state—

(a) whether any Poet-Laureate in the Hindustani language has been appointed by the Government;

(b) if the answer to (a) is in the affirmative, the name of the gentleman who has been so appointed; and

(c) if the answer to (a) is in the negative, whether the Government have considered the desirability of appointing one?

THE HON. SRI K. MADHAVA MENON :—" (a) No. The Government decided to appoint Poet-Laureates only in the four South Indian languages and in Sanskrit.

" (b) Nil.

" (c) The Government do not think it necessary to appoint one in the Hindustani language."

SRI P. R. K. SARMA :—" May I inquire, Sir, whether a poet laureate in English will be appointed? " (Laughter.)

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THE HON. SRI K. MADHAVA MENON :—" No, Sir."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" May I know, Sir, the definition of the term 'Poet Laureate'?"
(Laughter.)

THE HON. SRI K. MADHAVA MENON :—" I cannot give a definition of 'Poet Laureate' now. But what is commonly understood as poet laureate in England is meant here also. The idea is to encourage good poets."

SRI R. SURYANARAYANA RAO :—" Is it because the study of English is not to be recognized here?"

THE HON. SRI K. MADHAVA MENON :—" We have not given up the study of English, but we need not encourage English language, which will be done by Englishmen."

MRS. M. HENSMAN :—" May I inquire, Sir, whether any of our poet laureates have produced poems to suit the occasion of the Republic Day, or Telugu New Year's Day or Tamil New Year's Day or of days when we celebrate national events in a year?"

THE HON. SRI K. MADHAVA MENON :—" Our idea is not to compel eminent poets to write poetry. Our idea is to recognize poets of their merit."

MRS. M. HENSMAN :—" That is not the English idea."

THE HON. SRI K. MADHAVA MENON :—" I quite agree."

SRI R. SURYANARAYANA RAO :—" Will the Government consider the desirability of creating poet laureates in all the languages to which we are accustomed in this part of the Union?"

THE HON. SRI K. MADHAVA MENON :—" All the languages that we are accustomed to are the four languages of the Province and Sanskrit. Hindustani is being spoken by a small minority in this Province, and we may leave it to some other state to have a poet laureate in Hindustani, where the mother-tongue of the population is Hindustani."

SRI R. SURYANARAYANA RAO :—" Does the Hon. Minister deny that he is not accustomed to English language?"

THE HON. SRI K. MADHAVA MENON :—" The language to which we are accustomed is not English language. We are accustomed to English language by force of necessity, not because of the love of the language, which alone can be said to make us accustomed to a language."

DR. SYED TAJUDDIN :—" Why not the Government make a virtue of necessity?"

THE HON. SRI K. MADHAVA MENON :—" Because there is already one in England."

DR. V. K. JOHN :—" Cannot we have a poet laureate in Indian English?" (Laughter.)

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THE HON. SRI K. MADHAVA MENON :—" It is a contradiction in terms."

SRI MOTHEY NARAYANA RAO :—" Is it the idea of Government to replace English by Hindi that they do not want to have a poet laureate in English? "

THE HON. SRI K. MADHAVA MENON :—" I would refer my hon. Friend to our Constitution Act."

DR. V. K. JOHN :—" Have our poet laureates composed songs of praises of the Government? "

THE HON. SRI K. MADHAVA MENON :—" We do not want songs of praises of the Government. What the poet laureates have sung must be very well-known to those who are conversant with their respective languages? "

DR. V. K. JOHN :—" Are there poets among Ministers? " (Laughter.)

THE HON. SRI K. MADHAVA MENON :—" There is none among Ministers. None among them at any rate, have been awarded poet laureateship."

SRI P. R. K. SARMA :—" May I know whether the vacancy of Telugu poet laureateship has been filled? "

THE HON. SRI K. MADHAVA MENON :—" The committee which originally made the choice has been asked to choose another person for that vacancy."

SRI R. SURYANARAYANA RAO :—" In view of the importance given to Hindustani in the constitution and the place it will occupy in the future of our country, will the Government think of creating a poet laureate in Hindustani, so that proficiency in that language may be encouraged in our State? "

THE HON. SRI K. MADHAVA MENON :—" Instead of having a poet laureate in that language in Madras, it would be appropriate to award a prize for proficiency in that language in order to encourage study of Hindustani."

DR. V. K. JOHN :—" Will the Government do what is appropriate then? "

THE HON. SRI K. MADHAVA MENON :—" That is a different question."

JANAB K. T. M. AHAMED IBRAHIM :—" Now that Hindustani is being spoken by a substantial section of the population of this Province, may I inquire whether it is not desirable to have a poet laureate in Hindustani here? "

THE HON. SRI K. MADHAVA MENON :—" I do not know what the hon. Member means by the word 'substantial'. If he means number, it is only a very small number that speak that language. Even the hon. Members mother-tongue is Tamil and not Hindustani."

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JANAB K. T. M. AHMED IBRAHIM :—“ It is because I want justice to be done to Hindustani I want a poet laureate for that language.”

Amount granted by way of relief to the cyclone-affected areas.

* 21 Q.—SRI MOTHEY NARAYANA RAO :—Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the amount granted by the Government for relief in the cyclone-affected areas; and

(b) whether the amount has been distributed properly and in time?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. Minister for Land Revenue) :—

	RS.
“(a) Visakhapatnam	1,50,000
East Godavari	3,50,000
West Godavari	5,26,000
Krishna	5,39,000
Guntur	90,000
Total	16,55,000

“(b) Yes.”

SRI MOTHEY NARAYANA RAO :—“ May I know whether there had been further demands from the districts for further relief? ”

THE HON. SRI K. MADHAVA MENON :—“ There is a further demand for relief for a lakh of rupees from Guntur, and it will be considered on merits.”

SRI MOTHEY NARAYANA RAO :—“ May I know what the amount is that has been subscribed to the Governor's Relief Fund? ”

THE HON. SRI K. MADHAVA MENON :—“ I do not know, Sir. I want notice.”

SRI MOTHEY NARAYANA RAO :—“ May I know whether the Government propose to give any interest-free loans towards relief; and may I know whether such loans are included in the relief already given? ”

THE HON. SRI K. MADHAVA MENON :—“ Relief so far given is of the nature of grants. If any application is received for interest-free loan it will be considered.”

SRI MOTHEY NARAYANA RAO :—“ May I know if any application for interest-free loan recommended by the Collector of West Godavari has been received by the Government so far? ”

THE HON. SRI K. MADHAVA MENON :—“ Notice.”

DR. V. K. JOHN :—“ Have the Government made a rule that Hon. Mr. Madhava Menon should answer all questions in this House? ” (Laughter.)

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THE DEPUTY CHAIRMAN :—“ Hon. Mr. Sitarama Reddi has written a letter to me stating that he has to be away from Madras to-day and so he will be unable to be present in the House to-day. So, Hon. Mr. Madhava Menon is answering questions on his behalf.”

SRI MOTHEY NARAYANA RAO :—“ May I know the policy of the Government regarding the giving of interest-free loans? ”

THE HON. SRI K. MADHAVA MENON :—“ It is not a question of policy. In the case of cyclone-affected areas which require relief, each application will be considered on its merits.”

SRI MOTHEY NARAYANA RAO :—“ Sir, as the agricultural season is fast approaching, will the Government give interest-free loans? ”

THE HON. SRI K. MADHAVA MENON :—“ If applications are received, we may consider them favourably in the case of cyclone affected areas.”

3 p.m. DR. A. LAKSHMANASWAMI MUDALIYAR :—“ Mr. Deputy Chairman, Sir, I request you to see that the office gives timely notice of the hour at which the House is to meet, as the hour changes very often. We never have full-time sitting on many days. We are given by grace two hours, one hour or even less. I came at 11 o'clock this morning thinking that the House would meet at that hour as usual, and went away. I request that the hour of commencement may be indicated in the list of questions for each day. I would also request you, Mr. Deputy Chairman, to see that, if the House meets at all, it transacts business for the whole day and not for one or two hours as a sort of recreation.”

THE DEPUTY CHAIRMAN :—“ The budget programme of this House was communicated to the Members of this House in D.O. No. 8572/49-1, M.L., dated 12th November 1949. In that it was said that the House would meet after lunch on Monday, the 20th March 1950. Usually, the Supplementary Budget is presented to both Houses on the same day, to the Assembly in the morning and the Council in the afternoon. That is why we are meeting in the afternoon to-day.”

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—GOVERNMENT MOTIONS.

(1) HOUSE COMMITTEE.

THE HON. DR. T. S. S. RAJAN :—“ Sir, I move—

‘ that with reference to rule 144 of the Madras Council Rules, the House do proceed on a date to be fixed by the Hon. Chairman to elect six members to be members of the House Committee for the financial year 1950-51.’ ”

The motion was put and carried.

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THE DEPUTY CHAIRMAN :—“ I have to inform the House that, in accordance with the regulations framed by the Hon. Chairman for the holding of elections according to the principle of proportional representation by means of the single transferable vote, I fix 5 p.m. on Wednesday, the 22nd March 1950, as the time within which nomination of candidates for election to the House Committee should reach the Secretary. There will be an election on a date to be announced in due course if the number of candidates nominated exceeds six.”

(2) COMMITTEE OF PRIVILEGES.

THE HON. DR. T. S. S. RAJAN :—“ Sir, I move—

‘ that, with reference to rule 143 of the Madras Council Rules, this Council do proceed on a date to be fixed by the Hon. Chairman to elect nine members to be members of the Committee of Privileges for the financial year 1950-51.’ ”

THE DEPUTY CHAIRMAN :—“ Motion moved—

‘ that, with reference to rule 143 of the Madras Council Rules, this Council do proceed on a date to be fixed by the Hon. Chairman to elect nine members to be members of the Committee of Privileges for the financial year 1950-51.’ ”

SRI R. SURYANARAYANA RAO :—“ Sir, under the old rules, we did not have this Committee of Privileges. I wish the Hon. Leader of the House to enlighten us as to why this Committee is proposed under the present rules. Though the rules have been made by the Chairman, I am sure the Government would have been consulted. For the past few days we have been hearing a great deal about the appointment of a committee of privileges and so on. We would like to know whether membership of the committee involves duties of a very high order, and what the functions of the committee are, so that we can vote for those who are competent to deal with matters coming before the committee.”

THE HON. SRI K. MADHAVA MENON :—“ Sir, may I say a few words with your permission?

“ Article 194 of the Constitution lays down certain powers, privileges and immunities of a House of the Legislature and the Members thereof and in other respects they shall be such as may from time to time be defined by the Legislature by law, and, until so defined, shall be those of the House of Commons of the Parliament of the United Kingdom and of its members at the commencement of this Constitution. In the revised Council Rules, provision is made for the constitution of a Committee of Privileges analogous to the practice existing in the House of Commons. The work of the Committee is to look into complaints about breach of privileges and report to the Chairman or the House.

[Sri K. Madhava Menon] [20th March 1950]

“When this subject came up before the Assembly, the Hon. Speaker said that he was preparing a note on the Committee of Privileges, how it is functioning in England, what its powers and duties are and so on. I am sure the Members of this House will get a copy of the note that will be circulated to the Members of the Assembly.”

SRI R. SURYANARAYANA RAO :—“May I know whether this Committee of Privileges will be competent to go into complaints against Ministers who are Members of this House?”

THE HON. SRI K. MADHAVA MENON :—“This question does not arise. Only complaints relating to breach of privileges of the House will be referred to it.”

MRS. M. HENSMAN :—“Sir, may we know what our privileges are and what we are immune from?”

THE HON. SRI K. MADHAVA MENON :—“Certain powers, privileges and immunities are defined in Article 194. In other respects, we have the powers, privileges and immunities as defined by the Legislature by law, and, until so defined, shall be those of the House of Commons. But we are not enjoying all the privileges of the House of Commons. There it has been decided that Parliament is superior to the High Court in matters of interpretation. But in our country the Supreme Court is superior to the Legislature.”

THE DEPUTY CHAIRMAN :—“The question is—

‘that, with reference to rule 143 of the Madras Council Rules, this Council do proceed on a date to be fixed by the Hon. Chairman to elect nine members to be members of the Committee of Privileges for the financial year 1950-51’.”

The motion was carried.

THE DEPUTY CHAIRMAN :—“I have to inform the House that, in accordance with the regulations framed by the Hon. Chairman for the holding of elections according to the principle of proportional representation by means of the single transferable vote, I fix 5 p.m. in Wednesday, the 22nd March 1950, as the time within which nomination of candidates for election to the Committee of Privileges should reach the Secretary. There will be an election on a date to be announced in due course if the number of candidates nominated exceeds nine.”

(3) THE MADRAS AND SOUTHERN MAHRATTA RAILWAY LOCAL
ADVISORY COMMITTEE.

THE HON. SRI M. BHAKTAVATSALAM :—“Sir, I move—

‘that as the Local Advisory Committee of the Madras and Southern Mahratta Railway has to be reconstitute with effect from a date to be notified by the General Manager, Madras and Southern Mahratta Railway and as the

20th March 1950] [Sri M. Bhaktavatsalam]

General Manager, Madras and Southern Mahratta Railway has requested the Government to communicate to him the names of the members to represent the Madras Legislative Assembly and the Madras Legislative Council on the Committee for the next term commencing from a date to be notified by him, this Council do recommend to the Government to communicate to the Madras and Southern Mahratta Railway the name of one person elected by this Council to serve on the Committee for a period of two years from a date to be notified later.' "

The motion was put and carried.

THE DEPUTY CHAIRMAN:—"The following procedure shall be adopted for conducting the election of one member to the Local Advisory Committee of the Madras and Southern Mahratta Railway. The hon. Members will please hand in nominations to the Secretary before 5 p.m. on Wednesday, the 22nd March 1950. If the number of candidates nominated exceeds one, an election will be held between 3 and 5 p.m. on Friday, the 24th March 1950. The election will be by the ordinary method and not according to the method of single transferable vote."

III.—PRESENTATION OF SUPPLEMENTARY STATEMENT OF EXPENDITURE FOR 1949-50.

THE HON. SRI B. GOPALA REDDI:—"Mr. Deputy Chairman, Sir, I present the second supplementary statement of Demands for Grants for further expenditure in the year 1949-50 introduced in the course of the year. The present statement of Demands and the Estimates have been laid on the Table of the House.

3.15
p.m.

"As the House is aware, the first supplementary statement for this official year was presented in November 1949 and it related only to token sums for some 'new service' schemes introduced in the course of the year. The present statement is the final one for this year. As explained in the introductory Memorandum, the present statement relates to—

(a) Schemes of expenditure already provided for in the Budget for 1949-50 and schemes approved by the Legislature in connection with the first supplementary statement of demands for Grants voted in November 1949, for which additional provision is now required with reference to the expenditure already incurred or expected to be incurred before the end of the year; and

(b) 'New Se vice' schemes sanctioned by the Government in the latter part of this year which were not included in the first supplementary statement of Demands for Grants for this year.

"In the latter class of cases, the demand proposed is for the actual additional appropriation required to meet the expenditure in the current year on individual schemes, after taking into account the savings now anticipated in the concerned Grants. Where sufficient savings are expected, the demand proposed is only for a token sum of Rs. 100.

[Sri B. Gopala Reddi] [20th March 1950]

" 2. There are in all 32 demands pertaining to the Revenue Account, involving a total sum of Rs. 13.94 lakhs under 'charged' expenditure and Rs. 4,76.54 lakhs under 'voted' expenditure. Under Capital account, there are seven demands involving a total sum of Rs. 2,26.14 lakhs under 'voted' expenditure alone. Under Disbursements of loans and advances, there are two demands involving a total sum of Rs. 71.99 lakhs. The supplementary demands for *voted* expenditure are only for token sums in respect of seven Grants in the Revenue Account and three Grants in the Capital Account, and these relate to 'new service' schemes sanctioned during the latter part of this year, the expenditure on which has been or will be met from the savings in the Grants already voted by the Legislature. The details of all the new schemes are given in the explanatory notes under each Grant.

" The additional appropriation required under 'charged' expenditure is mainly in respect of payments made or to be made in accordance with the decrees of Courts, formal adjustment in the accounts of interest charges and the expenditure pertaining to the Public Service Commission and the Laccadive and Amindivi islands. The amount involved (apart from interest adjustments) is small. These items have been included in the Supplementary Estimate, because no reappropriation is permissible from savings under voted heads to meet 'charged' expenditure.

" 3. Items of voted expenditure in the Revenue Account involving large amounts are the following :—

Grant XIV—Police (Rs. 87.93 lakhs).—The additional demand is mainly in respect of expenditure incurred on the movement of Armed Reserves to disturbed localities and the adjustment of the cost of clothing, arms and equipment, including arrear payments.

Grant XVIII—Agriculture (Rs. 77.04 lakhs).—This expenditure is chiefly in connexion with the purchase of tractors, oil engines, etc., in pursuance of the two-year plan of intensive cultivation. The provision made in the original budget was relatively small.

Grant XXVIII—Civil Works—Grants-in-aid Rs. 43.51 lakhs.—This represents mainly larger expenditure on account of grants to local bodies for roads and bridges including new works. The Budget Estimate for 1949-50 was fixed on the assumption that a half grant will be paid to local bodies for new road works under the Post-war Road Development Plan. Subsequently, the Government decided to sanction full grants for such works under the plan.

Grant XVI—Medical (Rs. 38.26 lakhs).—Larger expenditure has occurred under diet, medicines and hospital necessities due to the increase in the number of in-patients and out-patients, opening of additional wards in certain hospitals, local purchase of medical stores, drugs, etc., at high rates and the opening of X-ray departments and dental clinics in certain hospitals.

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Grant XV—Education (Rs. 43.05 lakhs).—The increased expenditure under education is mainly due to the payment of larger amounts by way of teaching grants to private institutions for secondary and primary education, consequent on the enhanced rates of dearness allowance allowed to teachers and the increase in the number of teachers in aided elementary schools.

Grant XIII—Jails and Convict Settlements (Rs. 28.40 lakhs).—The larger expenditure is mainly due to confinement of a large number of security prisoners and those convicted for prohibition offences and an increase in the number of under-trial prisoners. The increase in the price of raw materials including cotton required for jail manufactures is also a contributory factor for the increase.

Grant XXVIII—Electricity (Rs. 26.18 lakhs).—There has been an increase under maintenance and other charges due to the expansion of the electricity systems including a large number of service connexions for agricultural, industrial and domestic purposes.

“ 4. Turning to the Capital Account, the main items of further expenditure are, Rs. 162 lakhs for interim payment and advance compensation to land-holders whose estates have been taken over by the Government, about Rs. 33 lakhs for the Lower Bhavani Project, about Rs. 18 lakhs for Capital Outlay on Electricity Schemes including the acquisition of private electrical undertakings and about Rs. 12 lakhs for the purchase of machinery for the Government Automobile Workshop, Government Bus Service, etc.

“ 5. The supplementary demands under ‘ Loans and Advances ’ fall under two heads and are mainly for advances to local bodies, private Electrical Licensees and the Fertilizers and Chemicals, Travancore, Ltd. The position in regard to these advances is fully explained in the Note under each relevant Demand.

“ 6. The total budget provision made under all Grants pertaining to the Revenue Account in the Budget for 1949-50 was Rs. 58.52 crores. The additional appropriation now asked for is Rs. 4.90 crores. As against this additional appropriation, savings are now expected to the extent of nearly Rs. 3½ crores under some Grants in respect of which no supplementary demand or demands for token sums only are now proposed. The amount of the supplementary demands could not be reduced with reference to these savings, as it is not permissible under the rules to re-appropriate savings available under one grant to meet the additional expenditure under another grant. Taking the estimated additional expenditure and savings together, it is now estimated that the total expenditure under all grants will be about Rs. 60 crores, which is just about 1½ crores more than the budget provision. This is almost set off by the reduction now expected in the total capital expenditure. The supplementary demands under Loans and Advances amount to just over Rs. 70 lakhs.

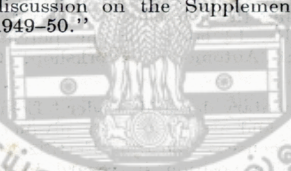
[Sri B. Gopala Reddi] [20th March 1950]

" 7. I am aware that the procedure of presenting supplementary demands for grants for large amounts towards the end of the year has been and will be the subject of adverse criticism. But considering the varieties of purposes for which Government expenditure is incurred it would be surprising if all the needs of the administration had been anticipated at the time of the budget and the amount of expenditure originally authorized was not found to be inadequate under some heads. With these words, Sir, I commend the Supplementary Demand for the acceptance of the House."

IV.—PRESENTATION OF THE STATEMENT OF DEMANDS FOR
GRANTS FOR EXCESS EXPENDITURE IN 1946-47.

THE HON. SRI B. GOPALA REDDI:—" Mr. Deputy Chairman, Sir, I present the statements of demands for grants for excess expenditure in 1946-47. The estimates originally prepared can never be expected to tally entirely with the actuals and excesses under some grants are inevitable. The discussion on this will take place on the 24th March afternoon. The appropriation Accounts for 1946-47 and the Finance Accounts for 1946-47 were placed on the table of the House on 19th March 1949."

THE DEPUTY CHAIRMAN:—" The House will now adjourn and meet again on the 24th March 1950 afternoon at 3 p.m. for the discussion on the Supplementary Statement of Expenditure for 1949-50."



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APPENDIX.

[Vide answer to starred question No. 18 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 20th March 1950, at page 487 supra.]

REVENUE DEPARTMENT.

[Seasonal conditions of certain Central Southern districts of the Madras State and the measures taken to alleviate distress in them.]

The north-east monsoon has failed for a third year in succession in the districts of Nellore, Chittoor, Chingleput, North Arcot, South Arcot, Tanjore, Tiruchirappalli, Coimbatore, Salem, Ramnad, Mathurai and Tirunelveli. Consequently distress and unemployment among agricultural labourers is noticed in these districts. The Collectors have already apprised the Government of the prevalence of distress in their districts. Weekly progress reports have been prescribed so as to enable the Government to know the actual position of distress.

2. All the drought affected districts have been inspected by the Members of the Board of Revenue and they have submitted to Government reports about the seasonal conditions in the various districts and the relief measures necessary to alleviate distress in them. The Collectors have accordingly accelerated the execution of ordinary departmental expansion works to provide employment to the agricultural labourers. The position in each district is briefly set out below :—

The Board of Revenue has submitted proposals for the grant of remission on a liberal scale in all drought affected areas and they are under active consideration. Pending sanction of remission, the Collectors have postponed the collection of kist in the areas where remission will ultimately be granted.

Chittoor.

No taluk in this district has so far been affected so as to justify the opening of expansion works to provide work to the unemployed agricultural labourers. The Collector has reported that the need for starting works, may probably arise somewhere in April or May 1950. Employment is now reported to be available for the present for the labourers in all the taluks of the district in road works, irrigation works, subsidy well works, etc. Scarcity of fodder and drinking water is not felt in any of the taluks. Proposals for the grant of remission in Kalahasti, Puttur and Tiruttani taluks have been received and are under consideration.

South Arcot.

Taking failure of wet and dry crops together and the general seasonal conditions Tindivanam, Gingee and Villupuram are the

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areas worst affected requiring special measures of relief. The Collector has taken steps to extend the ordinary works under the Minor Irrigation, Rural Water-supply and T.R. Schemes. Accordingly 45 major irrigation works, 152 minor irrigation works, 41 district board works, 1 Food production work and 359 Firka development works are now in progress employing 9,342 workers per day. Tindivanam, Villupuram and Gingee taluks have been recognized as distressed areas for purposes of granting subsistence loans under the Agriculturists' Loans Act. The fodder position is not also satisfactory. The Collector is considering the question of ban on the export of fodder from the district. No proposals have been made so far for import of fodder from districts. Proposals for the grant of remission of dry and wet assessment in the entire district are under examination.

Tanjore.

The areas adversely affected by the failure of the north-east monsoon are (1) twenty-six villages in the rainfed area of the Tanjore taluk, (2) eleven villages in Nagapattinam taluk, (3) thirty-three villages in Vedaranyam sub-taluk of Tiruturaipundi taluk and (4) twenty-four villages in the rainfed area of the Arantangi taluk. Thirteen minor irrigation works and nine well works are under execution in the Arantangi taluk. The Collector has been asked to open expansion works immediately in the season-affected areas in Tanjore taluk and Vedaranyam sub-taluk if unemployment among agricultural labourers prevails there. Grant of remissions in Nagapattinam and Tiruturaipundi taluks has been recommended.

Tiruchirappalli.

There is no question of famine or even prospect of famine anywhere in the district. The grant of both wet and dry remission on the same liberal scale as was sanctioned for fasli 1358 is necessary—dry remission for 14 villages in Udayarpalayam and 18 villages in Musiri taluk and wet remission 409 villages in Udayarpalayam, Perambalur, Musiri, Tiruchirappalli, Kulittalai, Karur, Alangudi, Kolathur and Tirumayam taluks and remission in 251 villages for manavari lands. The Collector has started 15 minor irrigation works in the taluks of Perambalur, Kulittalai, Karur and Tirumayam to provide employment to the agricultural labourers. Udayarpalayam and Musiri taluks are recommended for remission.

Salem.

The entire Uttangarai sub-taluk is affected. In a few villages in the sub-taluk some people have gone to adjoining villages in North Arcot in search of food. The Collector has suspended the collection of kist and loan instalments. To meet the scarcity of drinking water-supply in Uttangarai sub-taluk and Harur taluk, the Collector has arranged for the deepening of the wells by the district board. To relieve unemployment in Uttangarai sub-taluk the construction of a bridge across the Hanumanthirtham river has been undertaken by the district board which would provide employment for nearly 200 to 300 labourers. Five minor irrigation works

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have been ordered to be taken up. Disbursement of well subsidy loans is being accelerated. Issue of permits for cutting wood from reserve forests has been arranged for.

Remission of land revenue on the same liberal scale sanctioned for the last year has been recommended for Utfangarai sub-taluk.

Mathurai.

Palni, Tirumangalam and Dindigul taluks affected. The Collector has reported that he is preparing a list of minor and major irrigation works in these taluks and some of them will be selected and kept ready for execution in case of need. Proposals for sanctioning remission in Palni, Tirumangalam, Dindigul, Nilakottai and Periyakulam taluks are under consideration.

Ramnad.

Mudukulathur, Sivaganga and Tiruvadanai are the worst affected taluks. The Commissioner of Civil Supplies and Food Production who visited the district in the end of January sanctioned 11 Food production works. He has stated that remission in wet and dry areas on the scales sanctioned for the last fasli and the grant of similar concessions in the two zamindari areas of Sivaganga and Ramnad are necessary. At present 146 minor irrigation works and 116 Food production works are in progress in the district relieving 9,550 workers per day. The Collector has been asked to examine the necessity to open kitchens in the affected areas in the district and to submit a report to Government. The Collector's report is awaited.

Tirunelveli.

Tenkasi, Nanguneri, Koilpatti and Sankarankoil taluks are the worst affected. In December last some agricultural labourers were reported to have migrated from one village, viz., Vedantam village in Koilpatti taluk. A few people from some villages near Vilathikulam were reported to have gone to the plantations of Travancore side in search of work. To combat the distress 26 minor irrigation works, 18 district board works, 18 Food production works and 24 Firka development works are in progress.

Due to prevalence of severe distress in Melapalayam Municipality, the Collector has started four road works and six tank works and has made arrangements to distribute rice kanji to the poor through relief houses by relaxing rationing rules. It is proposed to sanction gratuitous relief to the weavers in the municipality at the rate of Rs. 2-8-0 to Rs. 3 per weaver family per week.

In Sankarankoil taluk the ryots have desired permission to graze their cattle freely in the reserve forests and also to remove grass. The Collector is taking this matter up with the District Forest Officer. Proposals for the grant of remission in Nanguneri, Koilpatti and Sankarankoil taluks are under consideration.

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Nellore.

Area south of Sulturpet in Nellore district and the western portion of the Venkatagiri taluk have been affected. Nearly all the area affected is in the Venkatagiri zamindari. The Estate manager was asked by the Commissioner of Commercial Taxes who visited the district to submit proposals to the Board for the postponement of kist in areas for which remission is likely to be granted ultimately. The Collector has directed the Estate Tahsildars, Naidupet and Venkatagiri to postpone collection of kist in all affected villages for all fields where the yield is four annas and less.

A number of labourers are employed over the Food production works started by the Executive Engineer. The manager, Venkatagiri Estate, has started two big tank works which would provide work for about 70 or 100 men for about two months. Grant of remission in Sulturpet sub-taluk and Venkatagiri taluk has been recommended.

Chingleput.

Crops in portions of Chingleput, Kancheepuram, Saidapet, Madurantakam, Sriperumbudur and Ponneri taluks and Mappedu firka in Tiruvallur taluk have been affected. The Commissioner of Commercial Taxes has reported that there are many areas in the district where distress is being felt and is likely to be acute in about a month. The Collector has taken up on hand 175 major irrigation works, 111 minor irrigation works, 6 Food production works and 1 district board road work which provide employment to 5,561 workers per day.

Remission of land revenue is required on the same liberal scale sanctioned for last year in the district.

North Arcot.

Tiruvannamalai and Wandiwash, Polur and Chengam taluks have fared worse than the rest; Tiruvannamalai and Wandiwash being the worst. The Collector has taken up for execution one major irrigation work, 53 minor irrigation works, 13 Food production works and 138 well works. The total number of persons relieved is 4,903 per day. Proposals for the grant of remission in the entire district is under consideration.

Coimbatore.

The taluks affected most by unfavourable seasonal conditions are Erode, Palladam, Dharapuram and Udamalpet. The Collector has been asked to take up works under the Tank Improvement Scheme and also the works included in the annual standing famine relief programme drawn up for the district. Accordingly, in addition to the Lower Bhavani Project, which is in progress, six road works have been undertaken to provide employment to unemployed agricultural labourers. Drinking water well works have also been undertaken. Special staff has been sanctioned for liaison work and for recruitment and advice for labour. The Collector

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has reported that people are supplied food ration cards and civil supplies works and means of earning wages have been provided. There is no need for kanji thottis at present.

In order to relieve fodder scarcity, the District Forest Officer, under instructions from the Collector, have opened some cattles, pens, where local cattle may come and graze. The Collector has made arrangements with the Tiruppur Co-operative Sales Society, Perundurai stores and other agents to import fodder from Tanjore and Salem districts by rail, and sell them to ryots at cheap rates and has addressed the Railway authorities to provide adequate wagons. The Railway authorities are being addressed to give the highest priority to the special agents selected by the Collector for importing fodder in the matter of allotment of wagons. The question of obtaining concessional facilities for transport of fodder is under consideration. The Deputy Registrar of Co-operative Societies has also been asked to arrange in such a way that local credit and other co-operative societies selected for their stability, storage accommodation, etc., are linked up with the Tiruppur and Perundurai societies in such a way that there will be at least one co-operative society centre for fodder in each firka. The Board of Revenue has also instructed the Collector to make arrangements for the supply of water by Civil Supplies lorries and railways in all cases of real urgent necessity in the taluks of Dharapuram, Palladam, Erode and Udumalpet, as the deepening of drinking water wells may take some time. Grant of remission has been proposed for Erode, Dharapuram and Udumalpet taluks.

The Government are of the opinion that the relief measures so far undertaken are adequate. They are, however, closely watching the situation and any special need for relief which may arise will be promptly attended to. The Collectors and the district boards have adequate schemes on hand which would provide employment to the labourers. It is expected that the situation can be tided over without undue distress.

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